



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Stuart M. Davis, et. al.

OK TO ENTER: /J.M./

Serial No.: 10/803,438

06/09/2008

Filed: March 18, 2004

For: WAFER ALKALINE CELL

Hon. Commissioner for Patents

P.O. Box 1450

Alexandria, Virginia 22313-1450

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) Group Art Unit: 1795
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) Exr. John S. Maples
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) Confirmation No. 5406
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Barry D. Josephs
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AMENDMENT AFTER FINAL ACTION (37 CFR 1.116)

This communication is in response to the Final Action dated May 30, 2008. In this Final Action the Examiner has indicated allowance of claims 27-47, 49-52, 54, 56-59. The Examiner has rejected dependent claim 55 under 35 USC 112, as being indefinite because claim 55 does not further limit the claimed subject matter, since the limitations therein are already present in independent claim 27. In a telephone conversation between the Examiner and the undersigned Attorney of May 27, 2008 the Examiner has indicated that the application